

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

ORIGINAL, CONTINUATION OR DIVISIONAL

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD

the specification of which (check one):

☒
☐

is attached hereto.

was filed on:

Application Serial No.:

and was amended on:

(if applicable)

☐

was described and claimed in
PCT International Application No.

filed on:

and as amended under PCT

Article 19 on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign or PCT Application(s): **n/a**

Priority Claimed?

| Application Number | Country (or indicate if PCT) | Day/Month/Year Filed | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|--------------------|------------------------------|----------------------|------------------------------|-----------------------------|
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application(s) or PCT International Application(s)
Designating the U.S. for Benefit Under 35 USC §120: **n/a**

| U.S. Application Serial No. | | U.S. Filing Date | Patented | Pending | Abandoned |
|--|-----------------|---------------------------------------|----------|---------|-----------|
| U.S. Application Serial No. | | U.S. Filing Date | Patented | Pending | Abandoned |
| PCT Applications Designating the U.S.: | | | | | |
| PCT Application No. | PCT Filing Date | U.S. Serial Nos. Assigned (if any) | Patented | Pending | Abandoned |
| PCT Application No. | PCT Filing Date | U.S. Serial Nos. Assigned (if any) | Patented | Pending | Abandoned |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00
Full Name of Inventor: Eduardo J. Moura

Signature: *Eduardo J. Moura* Dated: 4/21/95

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Post Office Address: same as residence

2-0
Full Name of Inventor: Jan Maksymilian Gronski

Signature: *Jan M. Gronski* Dated: 4/21/95

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Attny. Dr. No. APR 1572
Applicants: 21 Eduardo J. Moura and Jan Maksymiliam Gronski
Serial No.: 1995 Unknown
Filed: Even Date Herewith
Title: ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (c)) - **SMALL BUSINESS CONCERN**

I hereby declare that I am:

☐ the owner of the small business concern identified below: ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Hybrid Networks, Inc.
ADDRESS OF CONCERN 10201 Bubb Road, Cupertino, CA 95014

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.2--18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above referenced invention described in

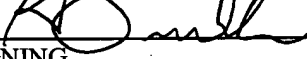
☒ the specification filed herewith ☐ application identified above ☐ patent identified above

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventors, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

*NAME _____
ADDRESS _____
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

SIGNATURE  DATE 4/21/95
NAME OF PERSON SIGNING RICHARD E. FULLER
TITLE OF PERSON OTHER THAN OWNER VP, FINANCE
ADDRESS OF PERSON SIGNING 10201 BUBB RD., CUPERTINO, CA 95014